

**6:30 P.M. Mayor Mazzarella and Historical
Commission Re: Houghton Square**

CITY OF LEOMINSTER

CITY COUNCIL

OCTOBER 22, 2007

HEARING BEFORE THE CITY COUNCIL, 7:00 P.M.

20-08 M. Quan, Inc.: Grant a Special Permit for a Mixed Use Project under 20 acres at 40 Spruce Street located in an Industrial Zone and shown on Assessor's Map 21 as Lot 2, for a retail store.

HEARING BEFORE THE CITY COUNCIL, 7:15 P.M.

21-08 M. Quan, Inc.: Grant a Special Permit to repave an existing parking lot, driveway areas and to add drainage improvements at 40 Spruce Street located within the floodplain and shown on Assessor's Map 21 as Lot 2.

HEARING BEFORE THE CITY COUNCIL, 7:30 P.M.

22-08 David Barry: Grant a Special Permit for the demolition and reconstruction of an existing structure at 44 Pond Street located within the floodplain and shown on Assessor's Map 7 as Lot 5.

PUBLIC FORUM, 7:45 P.M.

REGULAR MEETING OF THE CITY COUNCIL, 8:00 P.M.

ROLL CALL

COMMUNICATIONS

- C-43 Relative to the appropriation of \$4,200.00 to the Recreation Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account . (Finance)

- C-44 Relative to the appropriation of \$300,000.00 to the Debt Service Interest Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)

- C-45 Relative to the appropriation of \$3,000.00 to the Recreation Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)

- C-46 Relative to the appropriation of \$1,800.00 to the Emergency Management Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)

- C-47 Relative to the appropriation of \$20,000.00 to the Conservation Commission Salary and Wages Account; same to be transferred from the Emergency Reserve Account. (Finance)

- C-48 Relative to the appropriation of \$11,185.00 to the Department of Public Works Salary & Wages Account; same to be transferred from the Excess and Deficiency Account. (Finance)

PETITIONS

- 38-08 Leominster Properties, LLC: Accept a parcel of land located at the southerly end of Lancaster Street, shown on a plan entitled “Plan of Land in Leominster, MA, prepared for Leominster Properties LLC”, as lot 2 for a municipal sewage pumping station. (City Property)

- 39-08 Stephen J. Mullaney: Adopt comprehensive, reasonably definite and carefully drafted rules of procedure for the proper sequence and methods of interaction by petitioners to the City Council with members of the City Council, with other city officials and with interested parties, effective prior to and during the processing of petitions to the City Council of any kind, so that petitioners may know in advance what is or may be required of them. (Ways & Means)

APPOINTMENTS

Leominster Cultural Council- David H. Laverdiere – Term to expire April 15, 2008
(To fill the unexpired term of Donna Chalifoux)

Emergency Management-Claire M. Babineau, Laurie J. Babineau, Jeff D.
Richard, Daniel D. Shertzer

MATTERS BEFORE THE CITY COUNCIL

FINANCE

- C-33 Relative to determining the factor to be used in setting the Fiscal Year 2008 tax rate. (Hearing scheduled for November 26, 2007 at 6:30 p.m.)
- C-34 Relative to the appropriation of \$240,000.00 to the Municipal Buildings Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-35 Relative to the appropriation of \$75,000.00 to the Assessor's Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-36 Relative to the appropriation of \$100,000.00 to the Assessor's Revaluation Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-37 Relative to the appropriation of \$3,800.00 to the Health Department Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-38 Relative to the appropriation of \$11,500.00 to the Highway Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-39 Relative to the appropriation of \$50,000.00 to the Wire Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-40 Relative to the appropriation of \$62,000.00 to the Police Department Expense Account; same to be transferred from the Excess and Deficiency Account.

MATTERS BEFORE THE CITY COUNCIL, continued

FINANCE, continued

- C-41 Relative to the appropriation of \$20,000.00 to the Highway Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

PUBLIC SERVICE

- 25-08 David Fedeli: Expand my water usage from Leominster at the Tri-Town Drive In Theater on Youngs Road.

LEGAL AFFAIRS

- 20-08 M. Quan, Inc.: Grant a Special Permit for a Mixed Use Project under 20 acres at 40 Spruce Street located in an Industrial Zone and shown on Assessor's Map 21 as Lot 2, for a retail store.
- 21-08 M. Quan, Inc.: Grant a Special Permit to repave an existing parking lot, driveway areas and to add drainage improvements at 40 Spruce Street located within the floodplain and shown on Assessor's Map 21 as Lot 2.
- 22-08 David Barry: Grant a Special Permit for the demolition and reconstruction of an existing structure at 44 Pond Street located within the floodplain and shown on Assessor's Map 7 as Lot 5.
- 23-08 Sergeant Michael Goldman: Amend the City of Leominster Ordinance entitled "No parking on Certain Streets" by deleting Kingman Drive (east side), from Granite Street southerly for a distance of one thousand one hundred fifty two feet and Kingman Drive (west side) and inserting in its place Kingman Drive both sides.
- 26-08 Wayne Nickel: Create a no parking zone on the easterly side of Whitney Street beginning at the corner of Whitney and Spruce and extending in a northeast direction to a point opposite National Grid pole #8.
- 27-08 John M. Dombrowski, James Lanciani, Jr., Virginia A. Tocci, Robert Salvatelli, Richard Marchand, David Rowlands, and Wayne Nickel: Amend Section 22-4 of the Leominster Zoning Ordinance to add the following definition. "Athletic Training Facility: an indoor and/or outdoor facility for training, practicing, competition, demonstrations, and games by individuals and/or teams involved in athletics, cheerleading,

MATTERS BEFORE THE CITY COUNCIL, continued

LEGAL AFFAIRS, continued

and/or dance activities and any accessory uses related thereto "Also amend Section 22-26 (Table of Uses) as follows:

Uses	RRA	RAA	RB	RC	BA	BB	C	I
Athletic Training Facility	SPPB	SPPB	SPPB	N	N	SPPB	SPPB	SPPB

(Hearing scheduled November 13, 2007 at 7:00 P.M.)

- 28-08

Carl Piermarini, Leominster Telecommunication Corp. for Gateway Business Center: Grant a Special Permit to use a portion of a building located in an Industrial Zone at 435 Lancaster Street and shown on Assessors Map 443 as lot 1 for a television broadcasting studio. (Hearing scheduled November 13, 2007 at 7:15 P.M.)
- 29-08

Patrick J. McCarty P.E., McCarty Engineering, Inc. for 155 Hamilton Street Realty Trust: Grant a Special Permit for excavation of property at 70-90 Lanides Lane located within the floodplain and shown on Assessor's Map 229 as lot 1 for the purpose of creating compensatory flood storage volume for the benefit of land located at 156 Hamilton Street. (Hearing scheduled November 26, 2007 at 7:00 P.M.)
- 30-08

Patrick J. McCarty P.E., McCarty Engineering, Inc. for 155 Hamilton Street Realty Trust: Grant a Special Permit for excavation of property at 162 Hamilton Street located within the floodplain and shown on Assessor's Map 238, as lot 1-1 for the purpose of creating compensatory flood storage volume for the benefit of land located at 156 Hamilton Street. . (Hearing scheduled November 26, 2007 at 7:15 P.M.)
- 31-08

Patrick J. McCarty P.E., McCarty Engineering, Inc. for 155 Hamilton Street Realty Trust: Grant a Special Permit to construct a 6,000 square foot office and professional building with associated site improvements at 156 Hamilton Street shown on Assessor's Map 238 as lots 1-2 located within the floodplain. . (Hearing scheduled November 26, 2007 at 7:30 P.M.)

PUBLIC SAFETY AND WAYS & MEANS

- C-42

Mayor Dean Mazzarella: Request adoption of a resolution to support all steps necessary to build a new or renovated police facility.

MATTERS BEFORE THE CITY COUNCIL, continued

CITY PROPERTY

- 32-08 John M. Dombrowski et al.: Request the Mayor engage a private consultant to conduct a feasibility study to determine the costs, benefits and detriments of building a new police station at the Jungle Road property owned by the City of Leominster vs. remodeling the Gallagher Building on Church street to serve as a new or additional police facility vs. entering into a long term lease with an option to renew at a facility constructed by a private developer at Orchard Hill Park Drive.
- 33-08 New England Farm Workers' Council: Request permission to use the Leominster City Council Chambers to take Fuel Assistance applications on October 24th, 31st, November 5th, 19th, 26th, 30th, December 3rd, 17th, 20th, 2007 and January 3rd, 7th, 17th, 25, 28th, 2008.

WAYS & MEANS

- 34-08 John M.Dombrowski et al.: Request that the City Council require as a condition to any amounts appropriated by the City Council, an "Appropriation Expenditure Summary" form be completed by the appropriate City Department Head and submitted to the City Council.
- 35-08 Andrew Namerow: Grant a Hawkers & Peddlers license to sell balloons and toys along the parade route at the Halloween Parade on Saturday, October 27, 2007.
- 36-08 Christopher Blain: Grant a Hawkers & Peddlers license to sell balloons and toys at the Halloween Parade on Saturday, October 27, 2007.
- 37-08 Roland Blain: Grant a Hawkers & Peddlers license to sell balloons and toys at the Halloween Parade on Saturday, October 27, 2007.

APPOINTMENTS

Election Officers – Fleur Ange Bachand, John P. Bulger, Andrew F. Filieo, Maria Tineo, Dr. Joan Nowlin Thompson, Todd Rousseau

Emergency Management Volunteers – Colin F. Sanabria, Alden C. Carpenter, Daniel P. Consalvo, David W. Poirier, Russell W. Valliere, Jr. Arline M. Stith, Chirstopher P. Brown, James A. Gazzano, Robert W. Ericson.

OLD BUSINESS

President's Drinking Water Oversight Committee

NEW BUSINESS

RESOLUTION-Supporting all necessary steps to build a new or removed police facility.

Announcement of the Department of Agricultural Resources intent to acquire interest in 25 acres of land on Wachusett Street, shown on Assessor's Map 360, as Lot 8.

TABLED PETITIONS UPON WHICH ACTION IS PROPOSED

LEGAL AFFAIRS

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| 13-05 | James L. Xarras and ten registered voters: Amend Article VII, Section 22-46 of the Leominster Zoning Ordinance by adding a sub-paragraph to section 22-46 paragraph 46.1 that would limit authorizing construction to a maximum of 60 units in a 24 month period in each development thereby prohibiting any one development from utilizing the entire 200 non-exempt. |
| 107-05 | William L. Dinardo: Rezone 236 Lancaster Street to 270 Lancaster Street, shown on Assessors Map 177 as lots 10, 10a, 15a and 13 from Business A to Commercial. |

TABLED PETITIONS UPON WHICH ACTION IS PROPOSED, continued

LEGAL AFFAIRS, continued

- 17-07 Claire Freda: Adopt Chapter 39, Section 23D of the Massachusetts General Laws as amended to help municipal boards avoid quorum problems by allowing board member of the Conservation Commission, Zoning Board of Appeals, Planning Board and Board of Health, who have missed one hearing, to catch up and rejoin the voting quorum by reading and listening to the record of the missed meeting.
- 55-07 John Souza, on behalf of the Planning Board: Change the Leominster Zoning Ordinance Section 22-26 "Table of Uses" under General Uses in the Amusement category from "N" under Industrial to "SPPB".
- 105-07 Claire Freda: Request a truck exclusion on Willard Street from the intersection of Jytek Park to Casey Transportation, 341 Willard Street.

WAYS & MEANS

- 115-07 Mary T. Jean: Establish an annual stipend for the elected School Committee members equal to forty percent of the annual salary of the Leominster City Council members to begin on January 9, 2008 and increase in accordance to the City Council salary increases.

Lynn A. Bouchard
City Clerk
October 18, 2007